



General Assembly

January Session, 2003

***Amendment***

LCO No. 7020

\*SB0096907020HR0\*

Offered by:

REP. FARR, 19<sup>th</sup> Dist.

To: Subst. Senate Bill No. 969

File No. 634

Cal. No. 561

(As Amended by Senate Amendment Schedule "A")

***"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2003*) (a) For the purposes of  
4 this section:

5 (1) "DNA testing" means forensic deoxyribonucleic acid testing; and

6 (2) "Agent" means a person, firm or corporation to whom the state  
7 police or a local police department entrusts or delivers evidence to  
8 undergo DNA testing.

9 (b) Upon the conviction of a person of a capital felony or the  
10 conviction of a person of a crime after trial, or upon order of the court  
11 for good cause shown, the state police, all local police departments,  
12 any agent of the state police or a local police department and any other

13 person to whom biological evidence has been transferred shall  
14 preserve all biological evidence acquired during the course of the  
15 investigation of such crime for the term of such person's incarceration.

16 (c) The state police, a local police department, an agent or any  
17 person to whom biological evidence has been transferred may be  
18 relieved of the obligation to preserve biological evidence as provided  
19 in subsection (b) of this section by applying to the court in which the  
20 defendant's case was prosecuted for permission to destroy such  
21 biological evidence. Upon receipt of the application, the court shall  
22 give notice to all defendants charged in connection with the  
23 prosecution and shall hold a hearing. After such hearing, the court  
24 shall grant the application if it finds that the Connecticut Supreme  
25 Court has decided the defendant's appeal and the defendant does not  
26 seek further preservation of the biological evidence, or for good cause  
27 shown."